

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 16-27 are pending in this application. As indicated above, Claim 16 has been amended, Claims 18-27 have been newly added, and Claims 1-15 have been cancelled without prejudice.

In the Office Action, the pending claims were rejected as follows: Claim 1-5, 16, and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over *John* (U.S. Patent No. 6,216,106) in view of *Choksi et al.* (U.S. Patent No. 6,477,243); and Claims 6-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over *John* in view of *Choksi*, and further in view of *DeGiorgio et al.* (U.S. Patent No. 3,866,206).

Because Claims 1-15 have been cancelled without prejudice, it is respectfully submitted that the rejections of these claims are moot.

With regard to independent Claim 16, however, the Examiner asserts that *John* teaches all the recitations of this claim, except for transmitting a confirmation message including a telephone number of a caller, which the Examiner asserts is taught in *Choksi*. However, amended independent Claim 16 recites the step of *determining, if the received message is a text message, if a called party of the called mobile station has confirmed the received message, which is stored in the called mobile station*. It is respectfully submitted that the Examiner has not cited any of the prior art as teaching this recitation. Further, it is respectfully submitted that no section of *John*, *Choksi*, or *DeGiorgio* teaches sending a confirmation for a text message. Therefore, it is respectfully submitted that the Examiner is incorrect in rejecting Claim 16, and that Claim 16 is in allowable condition. It is respectfully requested that the rejection of Claim 16 be withdrawn. Likewise, Claims 17-20 are believed to be allowable based on their dependency on Claim 16.

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With respect to newly added Claims 21-27, these claims recite the steps of generating and transmitting, by the called mobile station, a confirmation message indicating the confirmation by the called party to the calling mobile station. It is respectfully submitted that neither *John* nor any other the secondary reference, either alone or in combination with each other, teach or suggest generating and transmitting, by the called mobile station, a confirmation message indicating the confirmation by the called party to the calling mobile station. That is, it is respectfully submitted that *John* teaches that the voice messaging system VMS1 in FIG. 1 plays a second voice message (see Column 4, lines 41-47), which is not included the mobile station, and therefore, fails to teach generating and transmitting, *by the called mobile station*, a confirmation message indicating the confirmation by the called party *to the calling mobile station*. Accordingly, it is respectfully submitted that new Claims 21-27 are patentably distinct from *John* or any other the secondary reference, either alone or in combination with each other.

Therefore, it is respectfully submitted that new Claims 18-27 are patentably distinct from the cited art as previously cited by the Examiner.

In view of the preceding amendments and remarks, it is respectfully submitted that all pending claims, namely Claims 16-27 are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



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